

Amendments to the Drawings:

Attached is a Replacement drawing sheet. Please incorporate the attached Replacement sheet into the present application. No new matter has been added.

Attachment B: One Replacement Drawing Sheet.

### REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The claims are 2-9. Independent claim 1 has been cancelled without prejudice in favor of new independent claim 9. Dependent claims 2 and 6 have been amended to depend from new independent claim 9. Dependent claims 6-8 have been amended to conform the preamble to the remaining claims. No new matter has been introduced.

The Examiner has required that "new corrected drawings" in compliance with 37 CFR 1.121(d) be submitted as no drawings are present in the application. Applicant's records indicate that a formal drawing figure was filed with the application papers and Applicant received a return postcard date stamped February 6, 2006 indicating the Patent Office's receipt of the application papers, including one sheet of formal drawings. In any event, Applicant submits herewith a copy of the drawing sheet believed to be originally submitted with this application. Although the attached sheet is marked "Replacement Sheet", the drawing attached hereto is believed to be identical to the drawing figure previously submitted.

No new matter has been introduced as the attached drawing is believed to have been previously filed, is referenced in the specification as filed and is also included in the corresponding International Application No. PCT/DE2004/001762 and in the priority application DE 103 36 399.8.

In view of the foregoing, it is believed that the requirement to submit a drawing has been fulfilled and Applicant respectfully requests confirmation of same.

The Examiner objected to the specification for a number of informalities, the informalities being the absence of section headings, the reference to claim numbers in the specification and the reference to the international (PCT) application not being published in English.

In response, Applicant has amended to specification herein to insert appropriate section headings, to delete all references to the claim numbers and to delete the reference to the international (PCT) application not being published in English. A replacement Abstract commencing on a separate sheet and having improved form is attached hereto as Attachment A. No new matter has been added.

In view of the foregoing amendments to the specification and abstract, it is believed that the objections to the disclosure based on the informalities noted by the Examiner are overcome and Applicant respectfully requests withdrawal of the objections to the specification on these bases.

Claims 1-8 were rejected under 35 USC §112, second paragraph as being indefinite. In particular, the Examiner indicated that claim 1 did not have a clearly delineated preamble and it was unclear to the Examiner where the body of the claim starts.

In response, independent claim 1 has been cancelled without prejudice in favor of new independent claim 9 which has been rewritten to include a clearly delineated preamble and claim body.

In view of the foregoing, it is believed that the rejections of the claims under 35 U.S.C. § 112, second paragraph are overcome and Applicant respectfully requests withdrawal of the rejections of the claims on this basis.

Claims 1-8 (presumably claims 1-4) were rejected under 35 U.S.C. §103(a) as being unpatentable over *Movitrans* in view of U.S. Patent No. 5,207,309 to *Simpkin et al.* Claims 5-8 were

rejected under 35 U.S.C. §103(a) as being unpatentable over *Movitrans* and *Simpkin et al.* as applied to claims 1-4 and further in view of U.S. Patent No. 6,237,400 to *Takakura et al.*

Essentially, it was the Examiner's position that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the transport taught by *Movitrans* with onboard diagnostics as taught by *Simpkin et al.* in order to reduce the complexity of the system by providing all transport and test equipment on a single platform sharing a common power source.

The rejections are respectfully traversed.

As set forth in new independent claim 9, Applicant's invention provides a transport device (1) configured to receive and convey a motor vehicle (2) or partially assembled motor vehicle to various work stations during a production process. The transport device (1) includes a continuous and contact-free power supply during the production process and a terminal (3) for supplying power to an on-board electrical system of the motor vehicle (2) or partially assembled motor vehicle (2) to be conveyed by the transport device (1). The on-board electrical system of the motor vehicle (2) or partially assembled motor vehicle (2) is connectable (4) to the terminal (3) and the

terminal (3) is supplied with electrical energy via the contact-free power supply to the transport device (1).

It is respectfully submitted that the cited references fail to teach or suggest a transport device having the structure as recited in Applicant's new claim 9 or which achieves the substantial advantages associated with that structure.

In particular, the power supply of the *Movitrans* systems is limited to supplying power to the car conveyor. There is no connection in the *Movitrans* system from the conveyor to the car supported on the conveyor so that the power supply source of the car (i.e. the battery) is supported. In contrast, the support of the power supply of the motor vehicle or partially assembled motor vehicle during the production process is precisely the subject matter of Applicant's claim 9.

The secondary reference to *Simpkin et al.* fails to disclose or suggest the concept of supporting the on board power supply of the motor vehicle in any way. *Simpkin et al.* relates only to the problem of adapting the speed of diagnostic devices (18) to the speed of actual motor vehicles to be tested by these devices. In the system according to *Simpkin et al.*, the electric power consumption of the motor vehicle itself is fed by the motor

vehicle battery. This method is well known in the prior art and is commonly used in the production of motor vehicles in general.

The advantages associated with the transport device as recited in claim 9 are described in detail in Applicant's specification and include enabling tests to be conducted on partially assembled motor vehicles having no battery and eliminating the consumption of power from the limited energy stored in the motor vehicle battery in connection with test procedures on the vehicle. These advantages are not achieved by the cited references.

The remaining secondary reference to *Takakura et al.* has been considered, but is believed to be no more relevant.

For at least the reasons set forth above, the cited references fail to teach or suggest a transport device having the structure as recited in Applicant's new claim 9, or in dependent claims 2-8 which depend directly or ultimately from claim 9 and recite additional features.

In summary, a drawing figure has been submitted as requested and the specification has been amended in response to the informalities. Independent claim 1 has been cancelled in favor

of new independent claim 9, and dependent claims 2, 6, 7 and 8 have been amended.

A Second Supplemental Information Disclosure Statement is also submitted herewith.

In view of the foregoing, Applicant respectfully submits that the pending claims, which are claim 2-9, are patentable over the cited references. It is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,  
Frederic DE MOLIERE ET AL 1 PCT



COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802  
EJC:

Edward R. Freedman, Reg.No.26,048  
Frederick J. Dorchak, Reg.No.29,298  
William C. Collard, Reg.No. 38,411  
Edward J. Callaghan, Reg. No. 46,594  
Attorneys for Applicant

Attachment A: Replacement Abstract  
Attachment B: One (1) Replacement Drawing Sheet.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 7, 2009.



Amy Klein



# **ATTACHMENT “A”**

# **ATTACHMENT “B”**